



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)  
Robertson, Anschutz, Schneid, Crane & Partners, PLLC  
130 Clinton Road, Suite 202  
Fairfield, NJ 07004  
Telephone Number: 973-575-0707  
Attorneys For Secured Creditor

In Re:

**Marie R ST-Phard**  
*aka* **Marie R St. Phard**  
*aka* **Marie R Saint Phard**  
*aka* **Marie R STPhard,**

**Debtor.**

Order Filed on February 23, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 17-12633-JKS

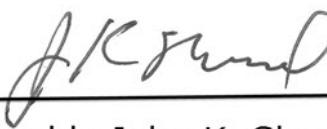
Chapter: 13

Judge: John K. Sherwood

**CONSENT ORDER REGARDING TREATMENT OF POST-PETITION ARREARS  
PURSUANT TO FORBEARANCE AGREEMENT**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby  
**ORDERED.**

**DATED: February 23, 2021**

  
\_\_\_\_\_  
Honorable John K. Sherwood  
United States Bankruptcy Court

THIS MATTER having come before the Court on the Debtor's Request to Forbear Mortgage Payments, by and through her counsel, Kevin Delyon, and VRMTG Asset Trust ("Secured Creditor") the Secured Creditor on the Debtor's real property located at 762-764 Stuyvesant Avenue, Irvington, New Jersey 07111 (the "Property"), represented by Robertson, Anschutz, Schneid, Crane & Partners, PLLC, and the parties agreeing to the entry of this Order resolving repayment of forborne mortgage payments, and for good cause shown; it is ORDERED AND DECREED as follows:

1. Secured Creditor filed its Proof of Claim on April 17, 2017 as Claim 6-1. Pursuant to the Proof of Claim, the pre-petition arrears owed Secured Creditor are \$314,523.46. Additionally, the Court entered a prior Order Curing Post-Petition Arrears and Resolving Secured Creditor's Motion for Relief from Stay on December 2, 2019 (See Docket Entry No. 77) (the "Prior Order"). The Prior Order reflects that the arrears as of November 1, 2019 in the amount of \$8,448.98 were already capitalized into the Debtor's Plan.
2. On or about October 19, 2020, Secured Creditor filed a Notice of Debtor's Request for Mortgage Forbearance Due to the Covid-19 Pandemic (See Docket No. 107). Pursuant to the Notice of Request for Mortgage Forbearance, the parties agreed to forbear post-petition obligations that would come due for one-hundred eighty-three (183) days from April 1, 2020 through and including September 1, 2020.
3. The current post-petition default which has resulted as a result of the Forbearance Agreement includes the October 1, 2020 through and including January 1, 2021 payment, less \$1,698.92 in suspense, for a total of \$9,802.16.
4. The amount of \$9,802.16 shall be capitalized into the Debtor's Chapter 13 Plan and paid to Secured Creditor by the Chapter 13 Trustee in addition to the amount set forth on Secured Creditor's timely filed Proof of Claim. Debtor must file a Modified Plan within fifteen (15) days of the entry of this Order. The Debtor's monthly payment to the Chapter 13 Trustee will be modified to an amount necessary to appropriately fund the Plan in accordance with this Order.
5. The Debtor shall commence ongoing post-petition payments in the amount of \$2,875.27 directly to Secured Creditor commencing on February 1, 2021. This amount is subject to change based on escrow and/or interest rate adjustments.
6. Secured Creditor shall retain its first mortgage lien on the Property and none of its rights are being modified.
7. Creditor reserves the right to pursue relief from stay in the event Debtor does not comply with the provisions of this consent order or if the existing post-petition arrears are not cured in full.
8. The parties agree that this Consent Order in no way alters, amends, or invalidates any applicable bankruptcy remedies afforded to them.

9. Facsimile signatures shall be valid as original signatures and this Consent Order may be executed in counterparts.
10. This order shall be incorporated in and become part of any Order Confirming Plan in the herein matter.

The undersigned hereby consent to the form and entry of the foregoing order.



\_\_\_\_\_  
Kevin Delyon, Esq.  
*Attorney for Debtor*  
Date:

2/15/21

*/s/ Shauna M. Deluca*

\_\_\_\_\_  
Shauna M. Deluca, Esq.  
*Attorney for Secured Creditor*  
Date: January 25, 2021

In re:  
Marie R ST-Phard  
Debtor

Case No. 17-12633-JKS  
Chapter 13

District/off: 0312-2  
Date Rcvd: Feb 23, 2021

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

## CERTIFICATE OF NOTICE

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 25, 2021:

Recip ID Recipient Name and Address  
db Marie R ST-Phard, 762-764 Stuyvesant Avenue, Irvington, NJ 07111

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 25, 2021

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 23, 2021 at the address(es) listed below:

Name	Email Address
Brian C. Nicholas	on behalf of Creditor DITECH FINANCIAL LLC bnicholas@kmllawgroup.com bkgroup@kmllawgroup.com
Denise E. Carlon	on behalf of Creditor VRMTG Asset Trust dcarlon@kmllawgroup.com bkgroup@kmllawgroup.com
Denise E. Carlon	on behalf of Loss Mitigation Ditech Financial LLC. dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Herbert B. Raymond	on behalf of Debtor Marie R ST-Phard herbertraymond@gmail.com raymondmail@comcast.net;bankruptcyattorneys@comcast.net;herbertraymond@gmail.com;carbonell_c@hotmail.com;kdelyon.ra ymond@gmail.com;herbertraymond5967@yahoo.com;raymondlaw5622@gmail.com;courtemails789@gmail.com
Kevin Gordon McDonald	on behalf of Creditor VRMTG Asset Trust kmcdonald@kmllawgroup.com bkgroup@kmllawgroup.com
Marie-Ann Greenberg	magecf@magtrustee.com
Shauna M Deluca	on behalf of Creditor VRMTG Asset Trust sdeluca@raslg.com

District/off: 0312-2

User: admin

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Date Recd: Feb 23, 2021

Form ID: pdf903

Total Noticed: 1

Sindi Mncina

on behalf of Creditor VRMTG Asset Trust smncina@raslg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9